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# **DIGEST OF SIGNIFICANT CLASSIFICATION DECISIONS AND OPINIONS**

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## **Note to Readers**

The guidance in this issue is still applicable and useful in classifying positions in the Federal government. However, there may be references to names and addresses of organizations within the U.S. Office of Personnel Management that have changed, names of individuals no longer employed at the Office of Personnel Management, or documents such as the Federal Personnel Manual that no longer exist.

For the December 1997 HRCD-4 release, the Office of Classification Appeals and Fair Labor Standards Act Programs made minor, nonsubstantive edits to Digest issues 1 through 19. For example, acronyms and abbreviations were spelled out in many places, references to law and regulation were expanded, typographical errors were corrected, leading zeros were added to 3-digit series numbers, outdated prefaces have been deleted, and the issuance date were added to the header of each page. Because of the change from the original paper version to an electronic format, the page numbers in Digest issues 1 through 19 and other references, such as the General Schedule classification standards and Federal Wage System job grading standards, now available electronically may have changed. In issues 1 through 19, where there is a reference to a page, we either eliminated the page reference or updated the page number with the page number of the electronic version. Beginning with issue 20, pages references are to the electronic version only. Please note that pages numbers may change when a file is printed depending on the format and printer used.

The Office of Classification Appeals and Fair Labor Standards Act Programs is responsible for the content of the Digest. We be reached by telephone at 202-606-2990, by fax at 202-606-2663, or by email at [ADOMSOE@OPM.GOV](mailto:ADOMSOE@OPM.GOV).

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**Standard:** Civil Engineering, GS-0810 (June 1966)

**Factor:** Part II, Planning and Design

**Issue:** Crediting for novel or non-routine features

### Identification of the Classification Issue

This issue arose in a position classification appeal decided by the Office of Personnel Management. The appellant was a General Engineer, GS-0801-11, and had appealed to have his position upgraded to GS-12. He was a project engineer for the construction, alteration, or renovation of buildings used for research, development, and administrative functions. Projects involved some novel or nonroutine design problems. He believed these nonroutine problems warranted classification to GS-12.

### Resolution

The position was evaluated in part by use of the Civil Engineering standard, GS-0810. It was acknowledged that the assigned projects were not routine in the sense of being limited to design criteria common to conventional office buildings or residences. Specifically, the incumbent designed facilities for research, including laboratories that experimented with various carcinogenic agents which had to be carefully controlled. This initially seems similar to "projects of highly specialized nature, such as facilities to house and support scientific experimentation and systems development operations," as described at the GS-12 level of the standard. However, the projects did not require new approaches, advanced technology, or the use of "state-of-the-art" equipment. Accordingly, problems could not be characterized as "obscure," nor did they require the use of "inconclusive or variable data." The projects were found to be typical of GS-11, which involves independent responsibility for projects requiring application of standard engineering theory and practices. The standard illustrates GS-12 as the level responsible for defining criteria and technically reviewing specifications for highly specialized projects. The design of facilities to house scientific activity does not *alone* substantiate GS-12. The work must necessitate "novel mechanical and electrical equipment systems, requiring highly 'customized' housing, foundations and utilities."

**Standard:** Administrative Officer, GS-0341  
(August 1966)

**Factor:** Series coverage

**Issue:** Performance of one-grade interval work

### **Identification of the Classification Issue**

This issue arose from an agency request for an opinion from the Office of Personnel Management regarding the use of the GS-0341 Administrative Officer Series where the work assignments involved the personal performance of one-grade interval work, the individual elements of which were properly evaluated by comparison with criteria in one-grade interval standards such as GS-0203, GS-0561, GS-1106, etc.

### **Resolution**

The paramount qualifications required of positions properly covered by the GS-0341 series include an extensive knowledge and understanding of management principles, practices, methods and techniques, and skill in integrating management services with the general management of an organization. The performance of work covered by this series requires a high order of analytical ability; the use of sound judgment and imagination in applying the practices, theories, techniques, and methodology of management in solving problems; the ability to communicate effectively, both orally and in writing; etc.

By comparison, one-grade interval work requires primarily a practical knowledge and understanding of administrative rules, regulations, procedures, and program requirements. These are usually applied on the basis of experience and familiarity with the organization and the assigned tasks.

Administrative Officer positions may involve either supervising or personally performing work in various areas, such as budget, data processing, management analysis, contracting, etc. Elements of the qualification requirements for specialists in these areas parallel those of the GS-0341 series. The GS-0341 standard recommends the GS-0201 Personnel Management Series, the GS-0343 Management Analysis Series, the GS-0505 Financial Management Series, and the GS-0560 Budget Administration Series for use in evaluating Administrative Officer positions. These are two-grade interval series, and the first full performance level for such positions is GS-9.

On the basis of the above facts, it was concluded that the GS-0341 Administrative Officer Series is intended to be used in classifying positions which meet the criteria of the series *and* have

paramount work assignments of a personal or supervisory nature that are covered by two-grade interval series standards.

**Standard:** N/A

**Factor:** N/A

**Issue:** Pay system determination

### **Identification of the Classification Issue**

The issue, which arose in a position classification appeal decided by the Office of Personnel Management, was whether a Federal Wage System position, involving the making of plans and estimates for repair and construction projects, was subject to the General Schedule.

### **Resolution**

Section IV, Determining Coverage by the General Schedule or the Federal Wage System, of the Introduction to Position-Classification Standards states that a position is exempt from the General Schedule if it clearly requires trades, crafts, or laboring experience and knowledge as a requirement for the performance of its primary duty or responsibility, and this requirement is paramount.

The primary responsibility of the position in question was the requirement for making plans and estimates for repair and construction projects. Discharging this responsibility involved preliminary worksite investigations; estimating costs, time, material, and manpower needed to complete projects; specifying what work was to be done, how it should be phased, and what craft would accomplish the various kinds of tasks; and providing appropriate sketches. It was recognized that trades or crafts experience and knowledge was desirable in carrying out that responsibility; however, the incumbent's experience and knowledge was limited to plumbing and steamfitting.

It was also determined that the primary responsibility of the position did not absolutely require trades or crafts experience and knowledge. There were a number of considerations supporting this finding: (1) while the incumbent had trades and crafts experience in plumbing and steamfitting, he was responsible for making plans and estimates, not only with respect to those trades but also for other trades, including air conditioning, carpentry, and sheet metal work, in which he had little experience or training, thereby showing that a person occupying the position could accomplish the planning and estimating work without craft experience; (2) with respect to those trades or crafts in which there was a lack of experience, sources of help were available, such as engineering performance standards, manufacturers' catalogs, various guides and references, shop supervisors, and activity engineers; (3) while sketches and specifications were prepared for many projects, the planning and estimating work did not require a detailed understanding of trades and crafts operations; and (4) the projects for which plans and estimates were accomplished

were of limited complexity--for example, replacing hot and cold water and return lines in various buildings.

In making the pay system determination, the need for General Schedule knowledges and abilities was recognized in the performance of the planning and estimating work. These included: (1) a knowledge of the techniques and processes involved in making optimum use of manpower materials, and other resources; (2) the ability to translate the knowledge of shop operations into plans, estimates, and operational sequences applicable to assigned projects; and (3) the ability to apply and adapt engineering performance standards and other guides and references. These knowledges and abilities were essential in carrying out the primary responsibility of the position.

Thus, the requirement for trades or crafts experience and knowledge for the performance of the primary responsibility of the position was neither absolute nor paramount; and General Schedule knowledges were representative of the work. The position was, therefore, determined to be subject to the General Schedule.

**Standard:** Factor Evaluation System Standards

**Factor:** Supervisory controls

**Issue:** Appropriateness of Level 2-5

### **Identification of the Classification Issue**

This appeal concerned a "Small and Disadvantaged Business Utilization Specialist." The appellant performed various duties to ensure that small and disadvantaged business firms (as defined by law) were given full opportunity to compete for contracts being let by the agency. The position was classified in the GS-1102 series and evaluated by the GS-1102 standard. However, the concepts outlined below are equally applicable to other Factor Evaluation System standards.

The appellant believed that Supervisory Controls should be evaluated at Level 2-5. To support that level, he claimed that he received "only administrative direction in terms of broadly defined programs or functions." He further stated that his work products and advisory services were considered "technically authoritative."

The appellant worked with a great deal of independence in the performance of the small and disadvantaged business utilization functions, and worked with very little intervention by his supervisor in technical decisions. He resolved day-to-day problems in accordance with existing laws, regulations, policies and precedents. The supervisor set objectives, allocated resources, and established the policy framework for carrying out the assigned functions. The employee and supervisor jointly developed time frames and program emphases. Work was reviewed for overall effectiveness and achievement of goals.

### **Resolution**

The appellant's level of responsibility was found to fall significantly short of Level 2-5. That level reflects administrative supervision only, with full technical authority delegated to the employee. Typically, this level of authority is accompanied by responsibility for a significant program or function, etc. While the appellant had significant technical responsibility, his supervisor was ultimately responsible for administration of the small and disadvantaged business utilization program. Level 2-4 involves a high degree of independence and responsibility, and thus fully recognized the technical responsibility vested in the subject position.

When considering Level 2-5, the availability of a technically qualified supervisor must be considered. The existence of such a position in the management chain, while not in itself conclusive, makes Level 2-5 highly unlikely. When such a position exists, the supervisor generally exercises substantial program control, such as:



- analyzing policies from higher authority and determining their effect on the program;
- formulating and issuing policy statements governing the program;
- establishing procedures to provide for management needs and ensure efficient operations;
- exercising normal supervisory control, including planning and assigning work, setting priorities, and giving program guidance.

Such factors must be carefully analyzed in evaluating supervisory controls. Neither the absence of immediate supervision in day-to-day operations, nor the fact that technical recommendations are normally accepted, serves to support a level above 2-4.

**Standard:** Factor Evaluation System Standards

**Factor:** Work environment

**Issue:** Applicability of Level 9-3 (50 points) in similar work settings

### **Identification of the Classification Issue**

Can positions in the same hospital ward be rated differently with respect to Factor 9, Work Environment? This question arose in evaluating a Medical Clerk, GS-0679, position in a psychiatric ward. Level 9-3 (50 points) was credited to a position of Psychiatric Nursing Assistant, GS-0621, in the same ward for the element of unpredictability in the behavior of patients that might lead to physical attack. Should the Medical Clerk position that comes in daily contact with the same patients then also be credited with Level 9-3 on Factor 9?

### **Resolution**

In this situation the Office of Personnel Management considered that the treatment team knows the psychiatric history and prognoses of the patients in their assigned areas and is aware of their moods and attitudes on a day-to-day basis. If a patient is unusually restless, hostile, or abusive, appropriate precautions are taken, e.g., medication, seclusion, etc. In the event that a patient loses control despite these precautions, it is generally the responsibility of nursing assistants or guards who have had special training to subdue the patient and apply restraints to prevent the patient from hurting himself or herself, other patients, hospital staff, or Government property.

The Medical Clerk works in a controlled environment, e.g., restricted range of personal contacts with patients. Therefore, it was determined that Level 9-3 is inappropriate for that position. However, in recognition of the additional stress in working in the ward office and special precautions taken (e.g., avoiding topics that might rile patients and taking measures to lock secure areas), Factor 9 in the Medical Clerk position was evaluated at Level 9-2, rather than Level 9-1.

This illustration emphasizes that it is not appropriate to apply, automatically, Level 9-3 to work environments (particularly to mines, correctional institutions, nuclear plants and vessels, and treatment facilities for contagious diseases). Instead, Factor 9 should be considered in relation to the requirements of an individual position:

--What is the hazard or physical discomfort?

--Must the employee exercise control to eliminate the hazard?

--What knowledges must the employee have to exercise this control?

--What safety training is required?

--Is the exposure to danger or discomfort on a regular and recurring basis?

Regulations pertaining to hazard pay differential for intermittent or irregular work (Federal Personnel Manual, Chapter 550) also provide insights into the interpretation of what is a hazard and when special precautions substantially eliminate hazards.

**Standard:** Job Grading Standard for Inspectors  
(April 1982)

**Factor:** Coverage of standard

**Issue:** Exclusion of in-progress pre-repair  
"inspection" work

### **Identification of the Classification Issue**

The issue arose in the reconsideration of a job grading appeal decision made by an Office of Personnel Management region concerning the job of an employee who performed acceptance, initial pre-repair, in-progress, and final inspections of heavy mobile equipment. The purpose of his inspections was to determine the condition of equipment, maintenance needed, and completeness of repairs made in other shops. The appellant's employing agency recognized that acceptance and initial pre-repair inspection work is not covered by the Job Grading Standard for Inspectors, but disagreed with on in-progress inspection. The agency believed that in-progress inspection is covered, citing the description of an Automotive Equipment Repair Inspector, which is Example Job Description No. 7 in the Job Grading Standard for Inspectors. That example mentions that the (Automotive Equipment Repair) Inspector inspects repair work in progress, as well as after repair. The agency asked that the Classification Appeals Office reverse the Office of Personnel Management appeal decision which titled the appealed job, Heavy Mobile Equipment Mechanic, and restore the agency classification, Heavy Mobile Equipment Repair Inspector, WG-5803-11.

### **Resolution**

The Classification Appeals Office found that the appellant's in-progress inspection work was properly excluded from coverage of the Job Grading Standard for Inspectors. The in-progress inspection performed by the appellant was described by his agency as being conducted to assist shop personnel in determining unusual repair parts requirements, and repair requirements and capabilities. This inspection was performed on partially disassembled equipment in the shops. The inspection work covered by the Job Grading Standard for Inspectors always involves comparison of work that has been partially or completely finished in accordance with standards, specifications, or contractual requirements. The in-progress inspection performed by the appellant occurred before repairs had begun, so there could be no inspection of repair work. This is different from the in-progress repair work in Example Job Description No. 7, which is a comparison of partially completed repairs for conformance with pertinent requirements. The in-progress inspection work of the appellant was an extension of the troubleshooting work performed in the acceptance and initial examinations. This work of the position under review is

typical of that performed by a Heavy Mobile Equipment Mechanic and is specifically excluded by the Job Grading Standard for Inspectors.

Additional information on pre-repair inspection is found in appendix E, part 3, Federal Personnel Manual Supplement 512-1--Supplementary Information, Definitions of Trades and Labor Job Families and Occupations. Appendix E describes this type of work as being done for the purpose of diagnosing malfunctions and determining feasibility of repair, work requirements, and parts replacement, characteristic of a variety of occupations (e.g., Equipment Specialists, Supervisors, Production Facilitating Employees) accomplished in combination with the paramount assignments. The "inspection" is usually identical to the testing and troubleshooting done by mechanics and workers in the trade.

Final "inspection" performed by the appellant is also excluded from coverage of the Inspectors standard because it does not involve assessment of the quality of repair completed by comparison with a standard or specification. That type of review in the appellant's organization was performed by shop foremen. The appellant's job was evaluated through comparison to the Heavy Mobile Equipment Mechanic, 5803 occupation standard, and classified as Heavy Mobile Equipment Mechanic, WG-5803-11.

**Standard:** Offset Press Operator, WG-4417  
(October 1981)

**Factor:** Knowledge and Responsibility

**Issue:**  
Crediting of Level III

### **Identification of the Classification Issue**

The appellant had appealed for a higher grade, believing that Factor 1, Knowledge and Responsibility, should be credited at Level III instead of Level II. He emphasized that the work required hairline to critical tolerances and the maintenance of precise color values, and supplied a sample of work orders in support of his appeal. Several of the work orders had notations such as "Top Quality," "Request full color with critical registration," "Please assure critical registration," or "Do not change the dimensions of the outer circle--this is very critical."

As defined in the Job Grading Standard, Level II requires "close to hairline" registration. While Level II may be multi-color work, it does not require the maintenance of critical color values. Level III requires registration ranging from "hairline to critical." In addition, Level III requires the maintenance of precise, critical color values through the use of a densitometer or some other exact measuring instrument.

### **Resolution**

Review of the appeal record and a sample of work orders did not establish a requirement for hairline to critical tolerances or for critical color values. Notations on work orders such as "critical registration" or "precise color values" do not satisfy the requirements of those terms as used in the standard. The standard specifically defines hairline registration as  $\pm .003$  inch, and critical as  $\pm .001$  inch or less. Such precision is required in some kinds of work, e.g., multi-color halftone work to insure clear and accurate simulation of colors. There was no evidence of such precision work on a regular and recurring basis. The notations on the work orders, "top quality" or "critical registration," apparently meant only that the particular work order required more than usual attention for that shop.

Precise color values are defined in the standard as "precise color values established and maintained through the use of an exact measuring instrument such as a reflective densitometer." An urgent deadline or administrative priority does not necessarily signify "precise color values" as defined in the standard. The work orders did not provide evidence of such critical color values. Level III may be appropriate when precise color values are critical to the product, for example in medical illustrations where exact color gradations show slight differences between diseased and

healthy tissue. While the subject position involved some multi-color work, it was not equivalent to Level III. For example, assignments included a multi-color diagram of a complex piping system coded to show the arrangement of different subsystems. Color balance was important, but the subject matter illustrated did not require the exactness required by Level III criteria. Also, there was no indication that the appellant used a densitometer or other precise measuring instrument to control precise color values, as required at Level III. Accordingly, the position was credited at Level II.